

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : James K. Hamlin
Application No. : 10/677,397 Confirmation No. : 8870
Filed : October 1, 2003
For : SYSTEM AND METHOD FOR COMMUNICATING DATA
Art Unit : 2616
Examiner : Alexander Boakye

Mail Stop AMENDMENT
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER
UNDER 37 C.F.R. § 1.321(b,c)

Sir:

iWORK SOFTWARE, LLC, a limited liability company having its principal office and place of business at 7900-200 Triad Center Drive, Greensboro, North Carolina 27409, represents that it is the assignee of record of the entire, right, title and interest, by assignment, of the following United States patent and pending United States patent application:

1. U.S. Patent No. 6,940,870 for "SYSTEM AND METHOD FOR COMMUNICATING DATA", issued September 6, 2005 on Application No. 09/906,222, filed July 16, 2001 as a continuation of Application No. 09/000,751 filed December 30,

1997. An assignment of the '751 application by the inventors to FALK INTEGRATED TECHNOLOGIES, INC. was recorded on December 30, 1997 at Reel 8925, Frames 168-71. An assignment of the '751 application by FALK INTEGRATED TECHNOLOGIES, INC. to iWORK SOFTWARE, LLC, dated June 18, 2001, was recorded on July 20, 2001 at Reel 11995, Frames 89-92. The assignment of the '751 application is effective for the '222 application as a continuation.

2. Application No. 10/677,397 for "SYSTEM AND METHOD FOR COMMUNICATING DATA", filed October 1, 2003, as a continuation of Application No. 09/906,222, filed July 16, 2001 as a continuation of Application No. 09/000,751. The assignment of the '751 application is effective for the '397 application as a continuation of a continuation.

The undersigned, on behalf of iWORK SOFTWARE, LLC, hereby disclaims the terminal portion of the term of any patent to be issued on the present application, Application No. 10/677,397, which would extend beyond the expiration date (currently June 30, 2019, as adjusted) of the full statutory term of Patent No. 6,940,870.*

The undersigned, on behalf of iWORK SOFTWARE, LLC, agrees that any patent to be issued on the present Application No. 10/677,397 shall be enforceable only for and during such period as the legal title to such patent shall be the same as the legal title to said Patent No. 6,940,870, this agreement to run with any patent to be issued on Application No. 10/677,397 and to be binding upon the grantee of such patent and its successors and assigns.

* It is applicant's and assignee's intention that if any change in the patent statutes delays the expiration of Patent No. 6,940,870, or if Patent No. 6,940,870 is hereafter awarded further patent term adjustment under 35 U.S.C. § 154(b), then the date beyond which the term of any patent to issue on this application is disclaimed shall change along with the expiration date of the parent patent.

The undersigned, on behalf of iWORK SOFTWARE, LLC, does not disclaim any terminal part of the term of any patent, to be issued on the above-identified Application No. 10/677,397, that would extend to the expiration date (currently June 30, 2019, as adjusted) of the full statutory term of Patent No. 6,940,870,* in the event that Patent No. 6,940,870: (a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid, (d) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a,b), (e) has all claims cancelled by a reexamination certificate, or (f) is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

The undersigned hereby states and certifies that:

1. He is an attorney of record in the above-identified patent application and is authorized to act on behalf of assignee corporation in connection with said application; and

* It is applicant's and assignee's intention that if any change in the patent statutes delays the expiration of Patent No. 6,940,870, or if Patent No. 6,940,870 is hereafter awarded further patent term adjustment under 35 U.S.C. § 154(b), then the date beyond which the term of any patent to issue on this application is disclaimed shall change along with the expiration date of the parent patent.

2. The relevant evidentiary documents have been reviewed and, to the best of the undersigned's and assignee's knowledge and belief, title to the above-identified Application No. 10/677,397 is in assignee.

iWORK SOFTWARE, LLC

/Jeffrey H. Ingerman/

August 9, 2007
Date

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